

REMARKS

Claims 1, 2, 4-10, 14-19 and 21-25 are pending in the Application. Claims 3, 11-13 and 20 have been canceled. Claims 1, 10, and 18 are independent claims

Claim Rejections – 35 USC § 103

The Patent Office rejected Claims 1, 2, 4-10, 14-19 and 21-25 under 35 U.S.C. § 103(a) as being unpatentable over Epps ("Epps", U.S. Patent No. 5,034,947) in view of Laursen et al. ("Laursen", U.S. Patent No. 6,847,618). Applicant respectfully traverses these rejections.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Applicant has filed an affidavit under 37 U.S.C. § 1.131 establishing a date of conception prior to June 29, 2001, the earliest effective date of Laursen, coupled with diligence in completing the invention until filing of the application. Thus, Laursen is not prior art under 35 U.S.C. § 103(a), and it is respectfully requested that the rejection be withdrawn.

Applicant respectfully submits Claims 1, 2, 4-10, 14-19 and 21-25 recite elements that have not been disclosed by Epps. For example, Claims 1, 10, and 18 generally recite a conferencing session over a packetized network. Epps does not disclose a conferencing session over a packetized network. Therefore, Epps does not teach or suggest all of the claimed limitations. Thus, at least based on the above reasons,

independent Claims 1, 10, and 18 are nonobvious under 35 U.S.C. § 103. Claims 2 and 4-9 depend from Claim 1 and are therefore allowable due to their dependence upon Claim 1. Claims 14-17 depend from Claim 10 and are therefore allowable due to their dependence upon Claim 10. Claims 19 and 21-25 depend from Claim 18 and are therefore allowable due to their dependence upon Claim 18.

CONCLUSION

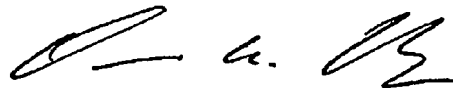
In view of the foregoing, it is submitted that the claims are in condition for allowance. Issuance of the present application as a patent is therefore solicited.

It is believed no fee is due at this time. However, should the Examiner disagree, please charge the undersigned's Deposit Account No. 19-2179. Please also charge this deposit account, at any time during the pendency of this application, for any additional fees required, or credit any overpayment, pursuant to 37 CFR §1.25.

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Respectfully Submitted,



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